



STATE OF INDIANA

ALCOHOL AND TOBACCO COMMISSION

302 West Washington Street
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Indianapolis, IN 46204

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February 16, 2005

Dear Permittees,

It has come to the attention of the Alcohol and Tobacco Commission that there are many inquiries concerning Texas Hold'em style poker tournaments. The definition of gambling under Indiana Code 35-45-5-1 is "risking money or other property for gain, contingent in whole or in part upon lot, chance". There are some limited circumstances where gambling is permissible, for example, the Hoosier Lottery, Indiana Department of Revenue sanctioned charitable gaming, State sanctioned casinos, etc. Absent of those exceptions, any game of risk, in which participants risk money to play with a chance to win more money is considered gambling and is illegal in Indiana and will be enforced as such by the Indiana State Excise Police.

Therefore, if a permittee wishes to hold a Texas Hold'em style poker tournament in a permit premise there can be no financial risk or "buy in" for the players involved. There can be rewards for the winners, however, there are other statutes in place that would preclude alcoholic beverages from being legally offered as prizes. Those permittees who wish to hold non-profit charitable gaming events should familiarize themselves with the Indiana Department of Revenue's rules of charity gaming at <http://www.in.gov/dor/charity/pdfs/publication2.pdf>.

Thank you for your understanding of this matter and please do not hesitate to contact our office if you have any further questions.

Sincerely,

Dave Heath, Chairman
Indiana Alcohol and Tobacco Commission